

1 Robert J. Cassity
 2 Nevada Bar No. 9779
 3 Erica C. Medley
 4 Nevada Bar No. 13959
3 HOLLAND & HART LLP
 5 9555 Hillwood Drive, 2nd Floor
 6 Las Vegas, NV 89134
 Phone: 702.669.4600
 Fax: 702.669.4650
 bcassity@hollandhart.com
 ecmedley@hollandhart.com

7 *Attorneys for FCM MM Holdings, LLC*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 MIND MEDICINE (MINDMED) INC., a
 11 British Columbia Corporation,

12 Plaintiff,

13 v.

14 SCOTT FREEMAN, an individual, and FCM
 15 MM HOLDINGS, LLC, a Wyoming Limited
 Liability Company,

16 Defendants.

Case No.: 2:23-cv-01354-MMD-EJY

**DEFENDANT FCM MM HOLDINGS,
 LLC'S JOINDER TO SCOTT
 FREEMAN'S ANTI-SLAPP SPECIAL
 MOTION TO DISMISS (ECF NO. 75)**

17 Defendant FCM MM Holdings, LLC ("FCM" or "Defendant"), by and through its
 18 attorneys, Holland & Hart LLP, respectfully joins in Defendant Scott Freeman's Anti-SLAPP
 19 Special Motion to Dismiss (ECF No. 75). On September 6, 2023, FCM filed its own Motion to
 20 Dismiss on grounds of lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2), failure to
 21 state a claim pursuant to Fed. R. Civ. P. 12(b)(6), and pursuant to Nevada's anti-SLAPP statutes
 22 NRS 41.660. *See* ECF No. 13. Dr. Freeman's Anti-SLAPP Special Motion to Dismiss presents
 23 additional grounds upon which Plaintiff's claims should be dismissed under Nevada's anti-SLAPP
 24 statutes, including that (1) the Separation Agreement is unenforceable for lack of consideration
 25 and fraudulent inducement (ECF No. 75, at 35-36); (2) there was no breach of the Separation
 26 Agreement (*id.* at 36-40); (3) MindMed first breached the Separation Agreement, thereby
 27 discharging Dr. Freeman's duty to perform (*id.* at 41-42); and (4) MindMed suffered no damages
 28 and is barred by the doctrine of laches (*id.* at 42-45). Because these arguments also support

1 dismissal of the claims as to FCM, FCM hereby joins in all of the legal arguments set forth in
2 Dr. Freeman's Anti-SLAPP Special Motion to Dismiss and requests that the same be granted.

3 DATED this 3rd day of November 2023.

4 **HOLLAND & HART LLP**

5 /s/ Robert J. Cassity

6 Robert J. Cassity
Erica C. Medley
9555 Hillwood Drive, 2nd Floor
7 Las Vegas, NV 89134

8 *Attorneys for FCM MM Holdings, LLC*

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HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
LAS VEGAS, NV 89134

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of November, 2023, a true and correct copy of the foregoing **DEFENDANT FCM MM HOLDINGS, LLC'S JOINDER TO SCOTT FREEMAN'S ANTI-SLAPP SPECIAL MOTION TO DISMISS (ECF NO. 75)** was served by the following method(s):

- Electronic: by submitting electronically for filing and/or service with the United States District Court, District of Nevada's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

Justin J. Bustos
DICKINSON WRIGHT PLLC
100 West Liberty Street, Suite 940
Reno, NV 89501
jbustos@dickinson-wright.com

Daniel F. Polsenberg
Abraham G. Smith
Lauren D. Wigginton
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169
DPolsenberg@LewisRoca.com
ASmith@LewisRoca.com
LWigginton@LewisRoca.com

Gabriel A. Blumberg
DICKINSON WRIGHT PLLC
3883 Howard Hughes Parkway, Suite 800
Las Vegas, NV 89169
gblumberg@dickinson-wright.com

Attorneys for Defendant Scott Freeman

Alexandra Rex Mayhugh
COOLEY LLP
Wells Fargo Center, South Tower
355 South Grand Avenue, Suite 900
Los Angeles, CA 90071
amayhugh@cooley.com

Attorneys for Defendant Scott Freeman

Sarah Lightdale
Kaitland Kennelly
Amanda Liverzani
COOLEY LLP
55 Hudson Yards
New York, NY 10001
slichtdale@cooley.com
kkennelly@cooley.com
aliverzani@cooley.com

Attorneys for Plaintiff

/s/ Kristina R. Cole
An Employee of Holland & Hart LLP

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